

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

ROBIN M. MILLER

Serial No.: 09/090,071

Filed: June 3, 1998

For: HEADS-UP DISPLAY WITH IMPROVED CONTRAST

Attorney Docket No.: LUTA 0177 PUS



Group Art Unit: 2774

Examiner: Kevin M. Nguyen

27/ Notice
of
Appeal
2-6-03
NP

RECEIVED

FEB 05 2003

Technology Center 2600

NOTICE OF APPEAL

Box AF
Commissioner for Patents
United States Patent and Trademark Office
Washington, D.C. 20231

Sir:

The Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Examiner mailed on September 13, 2002 in the above-identified patent application.

Previously, the Examiner twice reopened prosecution prior to a decision on the merits by the Board of Patent Appeals and Interferences. Once in response to an Appeal Brief filed on December 8, 2000, and again in response to an Appeal Brief filed on November 1, 2001.

Accordingly, and in reference to M.P.E.P. §1208.02, it is understood that

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8

I hereby certify that this paper, including all enclosures referred to herein, is being deposited with the United States Postal Service as first-class mail, postage pre-paid, in an envelope addressed to: Box AF, Commissioner for Patents, United States Patent and Trademark Office, Washington, D.C. 20231 on:

January 27, 2003
Date of Deposit

James N. Kallis
Name of Person Signing

Signature

“whether Appellant elects to continue prosecution or to request reinstatement of the Appeal, if prosecution was reopened prior to a Decision on the Merits by the Board of Patent Appeals and Interferences, the fee paid for the Notice of Appeal [and] Appeal Brief...will be applied to a later Appeal on the same application” (modifications added).

As such, the Applicant has not included any fees for this paper and the accompanying Appeal Brief. If the Applicant is incorrect in the calculation of fees due in connection with the filing of these papers, the Commissioner is authorized to charge any additional fees or credit any overpayments as a result of the filing of these papers to our Deposit Account No. 02-3978.

Respectfully submitted,

ROBIN M. MILLER

By: _____

James N. Kallis

Reg. No. 41,102

Attorney for Applicant

Date: January 27, 2003

BROOKS & KUSHMAN P.C.

1000 Town Center, 22nd Floor

Southfield, MI 48075

Phone: 248-358-4400

Fax: 248-358-3351